IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION NO : 12202 of 1998

Between:

1 B.Rajya Lakshmi, D/o.B.Ramanaiah,
Gandhinagar Street, Buchireddypalem, Nellore.
2 N.Krishna Reddy, S/o.N.Chenna Reddy,
Pothulakunta, Kothacheruvu Mandal, Anantapur Dist.
3 P.Mohanalatha, D/o.P.Jayaprakash,
H.No.424/497, Chammundivarithota,
Mulapet, Nellore.
4 N.Syamala, D/o.N.V.Subba Raju,
Chilakalamarri Village and Post,

Ananthasagaram Mandal, Nellore Dist.
5 N.V.Nagaraja, D/o.Vundavalli Subba Rao,
Vemulapadu Post and Village, Prakasam Dist.
6 T.Himabindu, D/o.T.V.Reddy,
NGO'S Colony, A.K.Nagar, Nellore.
7 M.kalyani, D/o.M.Venkataiah Naidu,
H.No.15-1566, Lalugarden, Chittoor.
8 M.D.Jyostna, D/o.M.D.Naidu,
Annamalia Gardens, Chittor.
9 Yedla Ravi Babu, C/o.Sangameswara Rao,
Near Andhra Bank, Kovur mandal, Nellore.
10 B.Narayana, S/o.B.Ramaiah,
r/o.Vaddipalem, Kovur Mandal, Nellore.
11 V.Mallikarjuna, S/o.V.Venkateswararao,
Sanatha Nagar, Near old Hospital,
Kotamitta, Nellore.
12 T.Veeraiah, Chittalum Post, Chejerla Mandal, Nellore.
13 V.Srinivasa Rao, Kandalu Mandal, Prakasam Dist.
14 G.Anita Rao, D/o.P.Balakotaiah,
Mypadu, Eudukurpet, Nellore Dist.
15 P.Sreenivasulu, S/o.China Venkataiah,
Botikirla Padu, Atmakur Mandal, Nellore Dist.
16 Ongole Sobba Rani, C/o.K.Prabhavathi,
24-31,Ramreddypet, Mulapet, Nellore.
17 Bathala Venkateswarlu, S/o.Venkateswarlu,
A.N.Puram, Kothavangalla, Gandavaram, Nellore Dist.

18 B.Swarnalatha, D/o.B.Uttama Reddy,
Opp. High School, Cuddapah Dist.
19 S.Padma, D/o.Sivaiah,
Modegunta Village, Vegur Post, Kovur, Nellore Dist.
20 Sk.Rizwan, C/o.Kanaka Laxmiah Naidu,

Harnathpuram, 2nd Lane, Nellore.
21 Y.Chandra Sekhar, S/o.G.Veeraswamy,
Devangpeta, Proddutur, Cuddapah Dist.
22 C.Munikrishnaiah, r/o.Venugopalapuram,
Katur Post, B.N.Kandriga, Chittoor.
23 K.Sudhakar, S/o.K.Siva Rao,
Sanyapalem, Papur Mandal, Nellore Dist.
24 A.Reddy Rani, D/o.A.Srinivasulu,
H.No.249-9-2, CTM Road, Madanapalli, Chittoor.
25 A.Madhavi, D/o.A.Doraswami Rao,
Dugarajapatnam, Vakadu Mandal, Nellore Dist.
26 K.Obulamma, KKG, Palli Vadadi,

Chinnamandem Mandal, Cuddapah Dist.
27 P.Subhash babu, S/o.P.Aazarathaiah,
West Karanala Street, Atmakur, Nellore Dist.
28 C.Gopi, S/o.Muneiah, r/o.Venugopalapuram,

Katur Mandal, B.N.Kandrigan, Chittoor Dist.
29 G.Bakthavatchalam, S/o.G.Suryaprakash Rao,
H.No.12/729, Old Hospital Road, Narayana Rao Pet, Nellore Dist.
30 S.Bhaskar, S/o.Venkataswamy,
Somala Mandal, Chittoor Dist.
31 Mamidala Madhavi Latha, D/o.M.Radhakrishna,
Indukurpet, Nellore.
32 Valluru Prameela, D/o.V.Sreenivasulu,
18/28-38, Ramalingapuram, Nellore.
33 Yellant Lakshmi Kumari,
54-Mig Housing Board Colony, Karrappa Road,
Proddatur, Cuddapah Dist.
34 Gunturu Gayathri, D/o.Gunturu Koteswaram,
Opp. Sivalayam Street, Mypadu Post, Nellore.
35 Y.Venkatesh, S/o Pullaayya, R/o.Cuddapah Dist.
36 M.Nagamani, D/o.M.Venkataswami,
r/o.Balajinagar, Nellore.
37 V.Vijaya Kumar, C/o.P.Rama Rao,
H.No.3-3-726 & 727, Essamia Bazaar, Hyderabad--27

..... PETITIONERS

AND

1 Government of Andhra Pradesh,

rep. by its Secretary, Education Department,

Secretariat, Hyderabad

2 Convenor, Ed.CET-98, Tirupathi.
3 Commissioner and Director of School Education,
A.P., Hyderabad

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in insisting for 45% minimum marks in the qualifying examination to be allowed to appear for the Ed.CET (Education Common Entrance Test-98) and be considered for admission into B.Ed., course for the academic year 1998-99, is arbitrary, illegal and unconstitutional and consequently direct the respondents to receive the application forms of the students who passed in the qualifying examination and permit them to appear for Ed.CET-98 and consider for admission into B.Ed., only upon the performance in the Entrance Examination.

Counsel for Petitioners: MR. E.SESHAGIRI RAO

Counsel for Respondents 1 and 3: GOVERNMENT PLEADER FOR SCHOOL EDUCATION

Counsel for Respondent No.2: MR.T.S.HARANATH, STANDING COUNSEL FOR SRI VENKATESWARA UNIVERSITY

The Court made the following:

ORDER:

The petitioners sought admission in the B.Ed., Course for the academic year 1998-99. As per the requirements framed by the National Council for Teacher Education, a minimum of 45% in the qualifying graduate examination is necessary. The petitioners, who do not have such requirement, challenged the said condition.

In so far as the prescription of 45% in qualifying examination is concerned, the same is squarely covered by a judgment of this Court in ***C.Shiva Kumari Vs. Director, Vacation Courses in Education, Institute of Advanced study in Education, Osmania University***. Even otherwise, the petitioners seek admission for the academic year 1998-99 and therefore, no relief can be granted.

The Writ Petition is, therefore, dismissed as infructuous. No costs.

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V.V.S. RAO, J

Dated: November 04, 2004.

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary, Education Department, Government of Andhra Pradesh,

Secretariat, Hyderabad.

2. The Convenor, Ed.CET-98, Tirupathi.

3. The Commissioner and Director of School Education,

Andhra Pradesh, Hyderabad.

4. Two CCs to the Government Pleader for School Education,

High Court Buildings, Hyderabad (O.U.T).

5. Two CD copies.